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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,390	09/08/2003	Jeyhan Karaoguz	14185US02	9409
23446	7590	05/07/2008	EXAMINER	
MCANDREWS HELD & MALLEY, LTD			WANG, LIANG CHIE A	
500 WEST MADISON STREET			ART UNIT	PAPER NUMBER
SUITE 3400			2153	
CHICAGO, IL 60661			MAIL DATE	
			05/07/2008	
			DELIVERY MODE	
			PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/657,390	KARAOGUZ ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Liangche A. Wang	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 21 February 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-31 is/are pending in the application.
  - 4a) Of the above claim(s)       is/are withdrawn from consideration.
- 5) Claim(s)       is/are allowed.
- 6) Claim(s) 1-31 is/are rejected.
- 7) Claim(s)       is/are objected to.
- 8) Claim(s)       are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on       is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No.      .
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 20080221
- 4) Interview Summary (PTO-413) Paper No(s)/Mail Date
- 5) Notice of Informal Patent Application
- 6) Other:

**DETAILED ACTION**

1. Claims 1-31 are presented for examination.

*Paper Submitted*

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 2/21/08 is considered.

*The New Grounds of Rejection*

3. Applicant's amendment and argument with respect to claims 1-31 filed on 2/21/08 have been fully considered but they are deemed to be moot in views of the new grounds of rejection.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 18-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Lu, US Patent Number 7,065,778 B1, hereinafter Lu.

6. Referring to claim 18, Lu teaches a system supporting exchange of media, said system comprising:

a first storage (data storage device 218 of PVR 200A corresponds to “a first storage”) in a first home (the place where PVR 200A resides corresponds to “a first home”; Col 6 lines 43-61, Col 1 lines 64-67, figure 3) that stores the media (Col 6 lines 50-53, Col 10 lines 40-43);

a television display (display 212 of PVR 200 corresponds to “a television display”; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3);

set top box circuitry (PVR 200A corresponds to “set top box circuitry”; Col 5 lines 26-35), in the first home, communicatively coupled to deliver the media from the first storage to the second television display for consumption (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200);

a closed and secure communication network (Col 8 lines 31-46, network between PVRs that are managed by EPG server are considered as a closed and secure communication network), wherein the media is delivered from the first storage to the television display via the closed and secure communication network (Col 8 lines 31-46); and

server software (EGP server 304) that coordinates delivery of the media from the first storage to the set top box circuitry (Col 6 lines 50-54, EGP server programs PVR

200A to record the requested TV show, Col 10 lines 40-43, first storage 218 is used to store recorded TV show for PVR 200A to transmit the requested TV show to PVR 200).

7. Referring to claim 19, Lu teaches the system of claim 18 wherein the media comprises one or more of audio, a still image, video, and/or data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
8. Referring to claim 20, Lu teaches the system of claim 19 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).
9. Referring to claim 21, Lu teaches the system of claim 18 wherein consumption comprises at one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).
10. Referring to claim 22, Lu teaches the system of claim 18 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
11. Referring to claim 23, Lu teaches the system of claim 18 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).

12. Referring to claim 24, Lu teaches the system of claim 18 wherein the server software supports anonymous media exchange (Col 6 lines 33-61, PVR 200 sends request to server, and server locates PVR 200A to provide requested content, PVR 200A sends the requested content to the server then the server transmits the requested content to PVR 200, the exchange is done through a server without having PVR 200 and PVR 200A to know each other in this embodiment, therefore the server software supports anonymous media exchange).

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-17, and 25-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu, US Patent Number 7,065,778 B1, hereinafter Lu, in views of Needham et al., US Publication Number 2004/0243671, hereinafter Needham.

15. Referring to claim 1, Lu teaches a system (system 300, figure 3) supporting exchange of media (Col 2 lines 9-28), said system comprising:  
a first television display (display 212 of PVR 200A; figure 2 and Col 6 lines 21-28) in a first home (the place where PVR 200A resides corresponds to “a first home”, Col 6 lines 43-61, Col 1 lines 64-67, figure 3);

a first storage (data storage device 218 of PVR 200A corresponds to “a first storage”) in the first home that stores the media (Col 6 lines 50-53, Col 10 lines 40-43);  
the first storage supporting consumption of the media by the first television display in the first home (Col 10 lines 26-29, 40-43, data storage device 218 of a PVR is used for storing TV programs for future viewing), and having an associated first network address (IP address of PVR 200A corresponds to “an associated first network address”; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a first user in a first home (a user exists to use each PVR in each home);  
a second television display (display 212 of PVR 200; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3);  
a second storage (data storage device 218 of PVR 200 corresponds to “a second storage”) supporting consumption of the media by the second television display in the second home (Col 10 lines 26-29, 40-43, data storage device 218 of a PVR is used for storing TV programs for future viewing), and having a second network address (IP address of PVR 200 corresponds to “a second network address”; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a second user in a second home (a user exists to use each PVR in each home);  
a communication network (Internet 302 corresponds to “a communication network”; figure 3); and  
server software (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record

desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer) and that receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one of the associated first and second network addresses (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester) and responds by identifying the other of the associated first and second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support delivery via the communication network of the media from the first storage to the second home for consumption by the second television display (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user. Needham teaches a system (figure 3) for sharing images only to persons on a buddylist (page 3 [0023], page 5 claim 9), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Needham to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and act as a filter to allow only the authorized user to gain access to certain multimedia content as taught by Needham (page 3 [0023]).

16. Referring to claim 2, Lu teaches the system of claim 1 wherein the first and second network addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Col 10 lines 10-15, each PVR is associated with an IP address).
17. Referring to claim 3, Lu teaches the system of claim 1 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
18. Referring to claim 4, Lu teaches the system of claim 1 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).
19. Referring to claim 5, Lu teaches the system of claim 1 wherein the media comprises one or more of audio, a still image, video, and/or data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).

20. Referring to claim 6, Lu teaches the system of claim 1 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).
21. Referring to claim 7, Lu teaches the system of claim 1 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).
22. Referring to claim 8, Lu teaches a system supporting exchange of media, said system comprising:
  - a first storage (data storage device 218 of PVR 200A corresponds to “a first storage” in a first home (the place where PVR 200A resides corresponds to “a first home”; Col 6 lines 43-61; Col 1 lines 64-67; figure 3) that stores the media (Col 6 lines 50-53, Col 10 lines 40-43), and having a first protocol address (IP address of PVR 200A corresponds to “a first protocol address”; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a first user in a first home (a user exists to use each PVR in each home);
  - a television display (display 212 of PVR 200 corresponds to “a television display”; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3), and having a second protocol address (IP address of PVR 200 corresponds to “a second protocol address”; Col 10 lines 10-15, each PVR is associated with an IP address);

set top box circuitry (PVR 200A corresponds to “set top box circuitry”; Col 5 lines 26-35), in the first home, communicatively coupled to deliver the media from the first storage to the television display for consumption (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200) with respect to a second user in a second home (a user exists to use each PVR in each home);

a communication network (Internet 302 corresponds to “a communication network”; figure 3); and

server software (EGP server 304) that maintains a user defined association of the first and second protocol addresses (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network/protocol address of PVR 200 and 200A for media transfer) and that receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one of the associated first and second protocol addresses (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester) and responds by identifying the other of the associated first and second protocol addresses (Col 6 lines 45-50, IP address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support delivery via the communication network of the media from

the first storage to the television display for consumption (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user. Needham teaches a system (figure 3) for sharing images only to persons on a buddylist (page 3 [0023], page 5 claim 9), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Needham to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and act as a filter to allow only the authorized user to gain access to certain multimedia content as taught by Needham (page 3 [0023]).

23. Referring to claim 9, Lu teaches the system of claim 8 wherein the media comprises one or more of audio, a still image, video, and/or data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
24. Referring to claim 10, Lu teaches the system of claim 9 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the

requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).

25. Referring to claim 11, Lu teaches the system of claim 8 wherein the first and second protocol addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, and/or an electronic serial number (ESN) (Col 10 lines 10-15, each PVR is associated with an IP address).

26. Referring to claim 12, Lu teaches the system of claim 8 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

27. Referring to claim 13, Lu teaches the system of claim 8 wherein the communication network comprises at one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

28. Referring to claim 14, Lu teaches the system of claim 8 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).

29. Referring to claim 15, Lu teaches the system of claim 8 wherein the server software supports anonymous media exchange (Col 6 lines 33-61, PVR 200 sends request to server, and server locates PVR 200A to provide requested content, PVR 200A sends the requested content to the server then the server transmits the requested content to PVR

200, the exchange is done through a server without having PVR 200 and PVR 200A to know each other in this embodiment, therefore the server software supports anonymous media exchange).

30. Referring to claim 16, Lu teaches the system of claim 8 wherein the server software forwards media from the first storage to the second television display (Col 6 lines 54-58, PVR 200A transmits the requested TV show to the server, server then transmits the requested TV show to PVR 200).

31. Referring to claim 17, Lu teaches the system of claim 8 wherein the server software is at a location separate from the first home and the second home (figure 3, Col 7 lines 20-24, EGP server 304 resides on a single physical computing device).

32. Referring to claim 25, Lu teaches a system supporting exchange of media, said system comprising:

set top box circuitry (PVR 200A corresponds to “set top box circuitry”; Col 5 lines 26-35), in the first home (the place where PVR 200A resides corresponds to “a first home”; Col 6 lines 43-61; Col 1 lines 64-67; figure 3), communicatively coupled to deliver the media from the first storage (data storage device 218 of PVR 200A corresponds to “a first storage”) at the first home, to a television display (display 212 of PVR 200 corresponds to “a television display”; Col 6 lines 21-28) at a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3) (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200); and

a communication network (Internet 302 corresponds to “a communication network”; figure 3); and

server software (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer) with respect to a first and second users, respectively, in the first and second homes, respectively, (a user exists to use each PVR in each home) the software receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one of the associated first and second protocol addresses (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester) and responds by identifying the other of the associated first and second protocol addresses (Col 6 lines 45-50, IP address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support delivery via the communication network of the media from the first storage in the first home to the television display in the second home (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user.

Needham teaches a system (figure 3) for sharing images only to persons on a buddylist (page 3 [0023], page 5 claim 9), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Needham to Lu, so that each user in each home of Lu can maintain a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and act as a filter to allow only the authorized user to gain access to certain multimedia content as taught by Needham (page 3 [0023]).

33. Referring to claim 26, Lu teaches the system of claim 25 wherein the first and second network addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Col 10 lines 10-15, each PVR is associated with an IP address).
34. Referring to claim 27, Lu teaches the system of claim 25 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
35. Referring to claim 28, Lu teaches the system of claim 25 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).

36. Referring to claim 28, Lu teaches the system of claim 25 wherein the media comprises one or more of audio, a still image, video, and/or data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
37. Referring to claim 30, Lu teaches the system of claim 25 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).
38. Referring to claim 31, Lu teaches the system of claim 25 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

***Conclusion***

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
40. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

41. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang  
April 22, 2008

/Liangche A. Wang/  
Primary Examiner, Art Unit 2153